

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

JLG INDUSTRIES, INC., )  
vs. Plaintiff, )  
POWERSCREEN USC INC., ) CASE NO. 06-677  
POWERSCREEN INTERNATIONAL PLC, )  
and TEREX CORPORATION, )  
Defendants. )

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**NOTICE OF DISMISSAL**

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IT IS HEREBY NOTICED, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, that the plaintiff, JLG INDUSTRIES, INC., hereby dismisses its complaint and all claims against the defendants, POWERSCREEN USC INC., POWERSCREEN INTERNATIONAL PLC and TEREX CORPORATION, in the above-entitled action, and that the same is dismissed on the merits, with prejudice, without costs to either party as against any other.

DATED: November 28, 2006

/s/ R. Montgomery Donaldson  
R. Montgomery Donaldson (DE ID No. 4367)  
Montgomery, McCracken,  
Walker & Rhoads, LLP  
300 Delaware Avenue, Suite 750  
Wilmington, Delaware 19801  
(302) 504-7840

and

Anthony J. Colucci, III, Esq.  
COLUCCI & GALLAHER, P.C.  
2000 Liberty Building  
Buffalo, New York 14202  
(716) 853-4080  
*Attorneys for Plaintiff,*  
*JLG Industries, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on November 28, 2006, a copy of the *Notice of Dismissal* was filed electronically with the Clerk of the Court using CM/ECF, and two copies of the Notice of Dismissal were placed in first class U.S. mail to the following:

Powerscreen International PLC  
Attn: Shay McKeown and Barry Cosgrove  
200 Coalisland Road  
Dungannon  
Northern Ireland  
BT71 4DR  
UK

Powerscreen International PLC  
c/o Terex Crushing & Screening  
11001 Electron Drive  
Louisville, KY 40299

Powerscreen International PLC  
Brown, Todd & Heyburn PLLC  
Attn: Jay Middleton Tannon  
3200 Providian Center  
Louisville, KY 40202-3363

DATED: November 28, 2006

*/s/ R. Montgomery Donaldson*

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*Attorneys for Plaintiff,  
JLG Industries, Inc.*